



COMMONWEALTH OF VIRGINIA JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS

101 N. 14TH ST., 17TH FLOOR
RICHMOND, VA 23219

*Air Force Association
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Association
Virginia National Guard
Association*

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JLC Contact
Marine Corps
League

John Clickener
click03@verizon.net
804-761-3269

Position Paper 2022-03 **VSO Color and Honor Guards**

OBJECTIVE: To address concerns expressed by members of Veteran Service Organizations (VSOs) participating in color guard or honor guard activities.

BACKGROUND:

- During the 2020 session of the Virginia General Assembly, a bill was passed amending §18.2-433.2 of the Code of Virginia. The new law would make it a Class 5 felony for any person to teach or demonstrate to any other person the use, application, or making of any firearm ... or technique capable of causing injury or death to persons...
- We are concerned that the legislation will inadvertently criminalize Veterans Service Organizations (VSO) honor guards, color guards, or rifle teams as they perform their duties, which are focused on providing a dignified final salute to our veterans or thanking and recognizing the contributions that veterans and military service made in the service of our country at public ceremonies.
- Our concern is that a VSO honor guard, color guard, or rifle team member may be inadvertently identified as a member of a paramilitary organization and held liable for inducing fear in another person while displaying or firing volleys at a veteran's funeral or other ceremony, or even a VSO color guard or rifle team participating in a local parade or other ceremony.

DISCUSSION:

- The use of rifles accompanying the American flag and the service flags of the United States has been recognized for many years as a tradition. Further the rendering of three rifle volleys followed by *Taps* has been a tradition at military funerals since the Civil War when the three volleys were used to tell opposing forces that the wounded and dead had been removed from the battlefield.
- An update to the Code of Virginia is needed to ensure our VSO honor guards, color guards, and rifle teams, which are comprised of volunteers from VSOs across the Commonwealth, are exempted from any inadvertent impact of the new statute.

RECOMMENDATION: That the Governor and General Assembly amend §18.2-433.2 to grant an exemption to Veteran Service Organizations performing authorized color guard activities such as parades or dedication ceremonies and honor guard activities such as funerals or dedication ceremonies as well as the teaching, training, and practices necessary to achieve and maintain a level of professional proficiency.